other things, it is said it was expressly stipulated "that Grenada should continue to be governed by its present laws until his Majesty's further pleasure." So far as that is concerned, the case is identical with the conquest of New Mexico and California. General Kearny, in his proclamation at Santa Fe, on the 22d August, 1846, uses this language :

on the 22d August, 1846, uses this language:

"It is the wish and intention of the United States to provide for New Mexico a free government, with the least possible delay, similar to those in the United States; and the people of New Mexico will then be called on to exercise the rights of freemen, in electing their own representatives to the Territorial Legislature. But until this can be done the laws hitherto in existence will be continued until changed or modified by competent authority; and those persons holding office will continue in the same for the present, provided they will consider themselves good citizens, and are willing to take the oath of allegiance to the United States."

ance to the United States."

And in his proclamation at Monterey, in California, on the 1st day of March, 1847, he uses similar language, as follows:

"It is the desire and intention of the United States to procure for California as speedily as possible a free government like that of their own Territories, and they will very soon invite the inhabitants to exercise the rights of free citizens in the choice of their own representatives, who may enact such laws as they deem best adapted to their interest and well-being. But until this takes place, the laws actually in existence which are not repugnant to the Constitution of the United States, will continue in force until they are revoked by competent authority; and persons in the exercise of public employments will for the present remain in them, provided they swear to maintain the said constitution, and faithfully discharge their duties."

These proclamations were the terms of the capitulation. By the promises and assurances therein given the people

By the promises and assurances therein given the people were induced to surrender, and offer no further resistance to our arms. And, according to the opinion of Lord Mansfield just read, the terms of the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations, would be held "sacred and inviolable according to the capitulation in each case, by the laws of nations are capitulation in each case, by the laws of nations are capitulation in each case, by the laws of nations are capitulation in each case, by the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are capitulation in each case, and the laws of nations are c ing to their true intent and meaning." But, sir, the same rule would apply even if there had been no such terms of capitulation. The capitulation only increases the obligation to adhere to the general rule that the laws of a conquered people, with the exception before stated, continue in force until altered by the new governing or conquering power.

It remains for me now to show that the same principle

has been repeatedly recognised and settled by our own Su-preme Court. For this purpose I refer, first, to the opinion given by Chief Justice Marshall in the case of the American Insurance Company et al. vs. Carter, 1st Peters, 542. In this case that learned judge used the following language:

"The constitution confers absolutely on the Government of the Union the powers of making war and of making peace; consequently that Government possesses the power of acquiring territory either by conquest or by treaty. The usage of the world is, if a nation be not entirely subdued, to consider the world is, it a nation to life the control of conquered territory as a mere military occup-until its fate shall be determined at the treaty of peace. until its fate shall be determined at the treaty of peace. If it be eeded by the treaty, the acquisition is confirmed, and the ceded territory becomes a part of the nation to which it is annexed; either on the terms stipulated in the treaty of cession, or on such as its new master shall impose. On such transfer of territory, it has never been held that the relations of the inhabitants with each other undergo any change. Their relations with their former sovereign are dissolved, and new relations are created between them and the Government which has acquired their territory. The same act which transfers their country transfers the allegiance of those who remain in it. And the law, which may be denominated political, is necessarily changed, although that which regulates the intercourse and general conduct of individuals remains in force until altered by the newly created power of the State."

Arain, in the same case, page 544, he uses this language:

Again, in the same case, page 544, he uses this language "It has been already stated that all the laws which were in force in Florida, while a province of Spain, those excepted which were political in their character, which concerned the relations between the people and their sovereign, remained in force until altered by the Government of the United States."

In the same case, Mr. Justice Johnson, of South Carolina, in giving his separate opinion, used the following language. I read from 1st Peters's Reports, page 517:

"The right, therefore, of acquiring territory is altogether incidental to the treaty-making power, and perhaps to the power of admitting new States into the Union; and the government of such acquisitions is of course left to the legislative power of the Union, as far as that power is uncontrolled by treaty. By the latter we acquire, either positively or sub modo, and by the former dispose of acquisitions so made; and in case of such acquisitions, I see nothing in which the power acquired over the ceded territories can vary from the power acquired under the law of nations by any other Government over acquired or ceded territory. The laws, rights, and institutions of the territory so acquired remain in full force until rightfully altered by the new Government."

Here it is expressly affirmed that the laws, rights, and in-

Here it is expressly affirmed that the laws, rights, and in-

the case of Strother vs. Lucas, and was an action of ejectment for two lots of ground in St. Louis, Missouri; and where it became necessary to review the laws that were in force there at the time of the acquisition of Louisiana. Judge Baldwin gave the opinion of the court, and used the following language:

"The State in which the premises are situated was formerly a part of the territory, first of France, next of Spain, then of France, who ceded it to the United States by the treaty of 1803, in full propriety, sovereignty, and dominion, as she had acquired and held it, (2 Peters, 301, &c.) by which this Govquired and held it, (2 Peters, 501, &c.) by which this Gov-ernment put itself in place of the former sovereigns, and be-came invested with all their rights, subject to their concomi-tant obligations to the inhabitants. (4 Peters, 512; 9 Peters, 736; 10 Peters, 330, 335, 726, 732, 736.) Both were regu-lated by the law of nations, according to which the rights of property are protected, even in the case of a conquered coun-try, and held secred and inviolable when it is ceded by treaty, try, and held sacred and inviolable when it is ceded by treaty, with or without any stipulation to such effect; and the laws, whether in writing or evidenced by the usage and customs of the conquered or eeded country, continue in force till altered by the new sovereign. "—(8 Wheaton, 589; 12 Wheaton, 528. 525; 6 Peters, 712; 7 Peters, 86, 87; 8 Peters, 444, 465; 9 Peters, 133, 736, 747, 748, 749; Cowper, 205; 2 Veasy, sr., 349; 10 Peters, 305, 330, 721, 732, &c.)

Here, again, is a clear and distinct reconsists.

Here, again, is a clear and distinct recognition of the same principle, with the declaration that the "laws, whether in wri principle, with the declaration that the "laws, whether in writing or evidenced by the usage and custom of the conquered or ceded country, continue in force till altered by the new sovereign," with a long list of authorities upon the same point, which I deem it useless to consume the time of the House by referring to, even if my brief hour would permit. Gentlemen can take them and read them at their leisure. But why need I say more upon this point? Is it not well known and perfectly notorious in this country that all the local and municipal laws which were in force in Florida and Louisiana at the

pal laws which were in force in Florida and Louisiana at the time of their acquisition are still in force, except so far-only as they have been altered since? Upon what other principle is it that the civil law prevails in Louisiana to this day?

And now, Mr. Speaker, if such be the decisions of our own Supreme Court upon this point, as I presume no gentleman upon this floor will venture to gainsay or deny, there is but one other question left, and that is, what was the law upon the subject of slavery in California or New Mexico at the time of their conquest? This is an important question. The of their conquest? This is an important question. The whole merits of the case turn upon it. And upon this point, I suppose, there can be no doubt. Slavery was abolished there in 1829. I have before me the decree, as it appears in Niles's Register, vol. 37, page 219: MEXICO-TOTAL ABOLITION OF SLAVERY.

MEXICO—TOTAL ABOLITION OF SLAVERY.

"The President of the Mexican United States to the inhabitants of the Republic, greeting:

"Desiring to signalize in the year 1829 the anniversary of our independence by an act of national justice and beneficence, that may turn to the advancement and support of so important a result; that may consolidate more and more public tranquillity; that may co-operate to the aggrandizement of the republic, and return to an unfortunate portion of its inhabitants those rights which they hold from nature, and that the people protect by wise and equitable laws, in conformity with the 30th article of the constitutive act.

"Making use of the extraordinary faculties which have been granted by the Executive, I thus decree:

"1. Slavery is forever abolished in the republic.

"2 Consequently all those individuals who until this day looked upon themselves as slaves, are free.

"When the financial situation of the republic admits, the proprietors of slaves shall be indemnified, and the indemnification regulated by law.

proprietors of slaves small be indefined.

"And in order that the present decree may have its full and entire execution, I order it to be printed, published, and circulated to all those whose obligation is to have it fulfilled.

"Given in the Federal Palace of Mexico, on the 15th of September, 1829.

"VICENTE GUERRERO,
"LAURENZO DE ZAVALA."

This decree provided that the owner of slaves manumitted abould be indemnified when the financial situation of the country would allow it. And I have before me another act of the Mexican Congress of 1837 upon the same subject. This act I find in volume 8 of the Laws of Mexico, which embraces the acts of 1836 and 1837:

## TRANSLATION.

"An act abolishing slavery in the republic.

"Art. 1. Slavery, without any exception, is, and shall remain, abolished throughout the entire republic."

"Art. 2. The owners of slaves manumitted by this act, or by the decree of 15th September, 1829, shall be indemnified for the interest they held in them, which interest shall be estimated by duly considering the personal qualities of the slaves; to which end one appraiser shall be nominated by the commissary general of the place, or by the person who supplies his place; another shall be nominated by the owner; and in case of discord in their opinions, a third shall be nominated by the constitutional alcaled of the vicinity, to which no objection shall be interposed. The decision of the appraisers, or a majority of them, shall be absolute and final. The indemnification of which this article makes mention shall not extend in any respect to those colonists of Texas who have taken an active part in the revolution of that department.

"Art. 3. The original proceedings in regard to the appraisement mentioned in the preceding article, shall be given gratis to the owner, by whom they will be presented to the Supreme Government, who will give orders to the Treasury Department to issue the corresponding scrip for the respective value of the property.

"Art. 4. The aforementioned scrip shall be paid or satisfied in that model which appraises the first and the state of the property. " An act abolishing slavery in the republic.

court has decided it, and to let my constituents know it like-wise, and not to jeopard their rights by any such reference of

[Here Mr. Stanton, of Tennessee, asked Mr. Stephens if the constitution of the United States does not recognise

Mr. Stephens continued. Yes, sir, the constitution recognises slavery, but only when it is not prohibited by the laws of the State, or place, or for the purpose of protecting it there. The constitution recognises slavery in Tennessee and Georgia, and in all the States where slavery exists by law; but it does not recognise it in New York or Ohio, or in any State where it is prohibited by the law of the State, except so far as it provides for the recapture of runaway slaves. The constitution recognises and guranties slavery where er it exists by the local law, but it establishes it nowhere where it is prohibited by law. The constitution, as I have stated, expressly recognises slavery, even when it is prohibited by the law of the place, but only so far as to provide for the recapture of a runaway slave. If my slave escapes and gets into a free State, the constitution secures me the right of pursuing free State, the constitution secures me the right of pursuing and retaking him; but if I voluntarily take my slave into a State where slavery by law is prohibited, I have no right to retake him; he becomes free. No man will question this. And if slavery is prohibited by the local law of the newly ac-

titled by the laws of the place. If Virginia or Georgia sho abolish slavery, the constitution would no more re-establish it there than it has re-established it in Pennsylvania, New York, and other States where it has been abolished. The constituand other States where it has been abolished. The constitu-tion no more carries the local law of slavery of any State into a State or Territory where by law it is prohibited than it car-ries any other local law; no more than it carries the law of interest upon money, the statute of limitations, the laws of distribution, or the penal laws of a State. And, sir, if this compromise bill had passed, how could the master have been protected against the their protected against the theft or purioning of his slave? By what law would be have sued to recover him? By what law stitutions of the country so acquired, remain in force until rightfully altered by the new Government.

But, sir, this principle has been repeatedly decided by the same tribunal. I have another case before me, in 12 Peters's Reports, page 410, in which the same doctrine is held, and a long list of cases cited in which it is also affirmed. This is a question to clear to addit of any particular one? And if any one, which is it?

Mr. Speaker, this is a question to clear to addit of argue-States into these Territories, does it carry the laws of all or any particular one? And if any one, which is it? Mr. Speaker, this is a question too clear to admit of argu-

ment.

Mr. STANTON again interrupted, and was understood to say, the gentleman, then, holds that it is within the power of Congress to extend slavery into territory where by law it does

Mr. Stephens. My position, Mr. Speaker, is this: That slavery is an institution which depends solely upon the muni-cipal law of the place where it exists; and if it was prohibited by law in these Territories at the time of the conquest, it can-not exist there until the laws of the place be altered by the competent law-making power for the Territory. In regard to these Territories and the rights of the South, I hold that when the stipulations of the late treaty shall be complied with and is not the supreme law of this land yet, tute an acquisition, made at the cost of the common blood and treasure of the whole Union, towards which the South contributed as generously as the North, and in which the South is buted as generously as the North, and in which the South is land and all the other old Republicans in the House in land, as his right of property was the matter in controversy, entitled to a just and equal participation; and that it is the duty of Congress to see to it, that the just and equal rights of my section are guarded, protected, and secured by all neces-sary legislation. The right to acquire and to hold territory brings with it the duty to govern it. The Supreme Court has so decided, and, in governing, it is the duty of Congress to act justly and fairly towards the rights and interests of all who are entitled to an equal share in the common domain. This, sir, is my position, and upon it I shall stand or fall.

The same position, I see, was taken by a meeting of the Democratic party in the city of Macon, in my own State, not long since.

long since. Amongst other resolutions, as I see in the papers, they declared-

"That our Senators and Representatives in Congress should That our Senators and Representatives in Congress should see to it that the rights of the Southern people should not be endangered during the period the Territories shall remain under the control of the United States, either from the continuance of the municipal laws of Mexico or from the legislation of the United States."

I stand upon the principles of this resolution. It is the true I stand upon the principles of this resolution. It is the true ground, in my opinion, for Southern men to occupy. I shall never give my sanction, while I have a seat upon this floor, to any legislation on the part of Congress by which the rights of the Southern people to an equal and just participation in these territories, while they remain as territories, shall be endangered, nor shall those rights ever be endangered or surrendered, by my approval, by "a continuance of the municipal laws of Mexico." This compromise bill, sir, did, in my opinion, endanger and surrender the then rights of the South, by a "continuance of the municipal laws of Mexico," which were of force at the time of the conquest, and by which slavery was abolished there. Sir, I set out by stating that I should not only challenge, but defy, a refutation of my positions, and I abolished there. Sir, I set out by stating that I should not only challenge, but defy, a refutation of my positions, and I now repeat the same. The rights of the South are not only endangered, but totally abandoned, in this compromise. Its passage would have been worse for the South than the Wilpassage would have been worse for the South than the Wilmot proviso in express terms; for, if the principles upon which its Southern friends advocate it be true—that is, if by the constitution the Southern slaveholder has a right to carry and hold his slaves in these territories, notwithstanding the existing municipal law of Mexico by which slavery is abolished there, then, of course, the same right would exist, even if the Wilmot proviso were passed; and the proviso, if passed, being in contravention of this constitutional right, of course the Supreme Court would be bound to decide it null and void. So that the compromise secures no rights to the South which they would not have even under the Wilmot proviso itself. But, on the other hand, if the Supreme Court should, under the compromise bill, decide against the slaveholder, on the ground that the existing laws of Mexico, at the time of the conquest, were in force there until altered by some competent authority, then, sir, we should be bound by it forcer; for we could not come and ask Congress to alter the law against the compromise, even although the Court might say that Con-

honor to abide by it.

Then, sir, what are we of the South to gain by this compromise? Nothing but what we would have, even with the Wilmot proviso—the poor privilege of carrying our slaves into a country where the first thing to be encountered is the certain prospect of an expensive lawsuit which may cost more than any slave is worth; and, in my opinion, with the absolute certainty of ultimate defeat in the end, and with no law in the mean time to protect our rights of property in any way. for the interest they held in them, which interest shall be estimated by duly considering the personal qualities of the slaves; to which end one appraiser shall be nominated by the commissive place; another shall be nominated by the owner; and in case of discord in their opinions, a third shall be nominated by the constitutional alcalde of the vicinity, to which no objection shall be interposed. The decision of the appraisers, or a majority of them, shall be absolute and final. The indemnification of which this article makes mention shall not extend in any respect to those colonists of Texas who have taken an active part in the revolution of that department.

"Art 3. The original proceedings in regard to the appraisement mentioned in the preceding article, shall be given gratis to the owner, by whom they will be presented to the Supreme Government, who will give orders to the Treasury Department to issue the corresponding serip for the respective value of the property.

"Art 4. The aforementioned serip shall be paid or astisfied in that mode which may appear to the Government the

most equitable, conciliating as far as practicable the rights of the individuals with the actual situation of the Treasury." [April 5, 1837.]

From this I take it for granted that nobody will deny that all sharpy was abolished in California and New Mexico at the time of their conquest by our arms. If a slave at that time had brought an action for his freedom against his master before the country, does any man doubt but that the courts under the law then in force would have declared him to be free? And as our Court has decided that in all state courts and the courts of the country, does and the courts of the country, does and the time of the acquired territory in force at the time of the acquired territory in force at the time of the acquired territory in force at the time of the acquired territory in force at the time of the acquired territory in force at the time of the acquired the question just as the Mexican courts would have decided it at that time?

It is with pair I have beard allusions made to the present country, does and the court of the country in force as the law of the place until altered by competent authority, can any mand doubt that they would decide the question just as the Mexican courts with pair I have heard allusions made to the present composition of the Court—five judges from the South, and four from the North; and that, therefore, the question would be asfe for the South in their hands, as we had a majority of the bench. I consider such an argument a gross imputation upon the Court; and no greater disprace could be stateched to the members of it, or to the country, than a decision made from any such condicastions. No judge, whether from the South, and the present composition of the Court, that would be the decision of the such as the court has decided the suppose that the very could decide the suppose case? I put the question to the good seems as corrupt and as debased as the excerable impose—the infamous tool of Hastings. If I thought such motives could operate upon the Court, that woul

But this Government editor, nor the President whom he screes, need not suppose that because he is trembling and quaking with fear at sights, spirits, or spectres dire, which the consciousness of his own misdeeds cause to haunt his disturbed brain, that therefore every body else feels the same unsteadiness of nerve with himself. I look upon this question now just as I did two years ago, when this war of conquest commenced. I raised my voice against it then. I saw what would be the result. I was prepared for the present storm with all its fury; and I am as unmoved now as I was then. I saw the northern Democrats supporting the policy of conquest for the purpose of acquiring free territory. I was opposed to the whole policy because I considered it contrary to the spirit of our constitution to wage a war of conquest under posed to the whole policy because I considered it contrary to the spirit of our constitution to wage a war of conquest under any circumstances. But I was determined then, if territory should be acquired, that the rights of my section to an equal participation in it should be secured, so far as my ability could contribute to the accomplishment of that end; and I stand upon the same ground now; and I shall never surreader it so long as the question is open. And no alarms about the Union, or the ravings of brainless scribblers and heartless demagogues, who croak and prate upon subjects on which they are profoundly ignorant, shall ever cause me to shrink from are profoundly ignorant, shall ever cause me to shrink from the open and fearless maintenance of it, even though I may tand solitary and alone.

I have no objection to compromising the question, but I have only two plans of compromise; one is, a fair division of the territory by clear and distinct lines, by which every one may know exactly to what extent his rights will be protected. State where slavery by law is prohibited, I have no right to retake him; he becomes free. No man will question this. And if slavery is prohibited by the local law of the newly acquired territory, the only guaranty the constitution affords the slaveholder is the right of recapture if he escapes and gets into those territories. The constitution, I say, fully and amply recognises slavery where it exists, but it establishes it nowhere where it is prohibited by law. It is important that the public And if slavery is promotion.

Slaveholder is the right of recapture if he escapes and gets into those territories. The constitution, I say, fully and amply plan of compromise I shall faver, and if I cannot plan of compromise I shall faver, and that is, to reject the territory plan of compromise I shall faver, and that is, to reject the territory altogether. Let us keep our money which is to be paid for a altogether. Let us keep our money which is to be paid for a constitution no more establishes or carries slavery into States or Territories where by law it is prohibited, than it establishes or Carries any other right of a citizen which depends upon the carries any other right of a citizen which depends upon the States of the land. This I consider as an intimation that this House, in his opinion, will be bound to vote the appropriations to carry it into effect. If so, I barely intend here to say that I wholly disagree with him. True, the treaty-making that I wholly disagree with him. True, the treaty-making that I wholly disagree with him. but, sir, the President and Senate have no right or power to make a treaty which imposes an obligation on the part of the House of Representatives to carry it into effect. This principle I understand to have been fairly settled as the republican doctrine of 1796. I have the Journal of the House of that year before me, and I find, on page 499, the following resolution upon that points.

year before me, and I find, on page 499, the following resolution upon that point:

"1st. Resolved, That, it being declared by the second section of the second article of the constitution 'that the President shall have power, by and with the advice and consent of the Schate, to make treaties, provided two-thirds of the Senators present concur, the House of Representatives do not claim any agency in making treaties; but that when a treaty stipulates regulations on any of the subjects submitted by the constitution to the power of Congress, it must depend for its execution, as to such stipulations, on a law or laws to be passed by Congress; and it is the constitutional right and duty of the House of Representatives, in all such cases, to deliberate on the expediency or inexpediency of carrying such treaty into effect, and to determine and act thereon as, in their judgment, may be most conducive to the public good."

Upon the passage of this resolution the yeas and nays were

intend to state the principle and show the authority, that the country may not be misled upon this subject. The late treaty 1796 voted) our constitutional right and duty to deliberate on 1796 voted) our constitutional right and duty to deliberate on the expediency of making the appropriations. And I now state that, if I am here when that appropriation is made, I shall exercise this constitutional right, and I shall never vote one dollar from the common treasure of this Union to pay for these territories, if the institutions of my section are to be wholly excluded from them. Nor will I vote one dollar to carry this treaty into effect, until I have this matter settled, and what I consider the rights of the South secured. And I and what I consider the rights of the South secured. And I believe this is the great lever of the South upon this question. Let the bill organizing Territorial Governments be linked with the appropriation of the money, and let the South present an unbroken front against paying a dollar, if their institutions are to be excluded, and I shall have some hopes yet of obtaining

to be excluded, and I shall have some hopes yet of obtaining justice.

Now, sir, you know something of the only plans upon which I intend to compromise this business. But, as I said before, if in all this I should be defeated—if the South will not stand with me upon this point—if the combined vote of the People of the South to take their own course; such as they may deem their interest and honor demand. It is not for me to indicate that course. But one thing I will say, that I shall be with them in whatever course they may take. I shall be with them in whatever course they may take. Their interests are my interests, their fortunes are my fortunes, their hopes are my hopes, and whatever destiny awaits them, awaits me also.

thority.

5th, and lastly. That these positions being incontroverti-ble, the bill offered, as it was, as a compromise and a final settlement of the question, amounted to nothing but a total abandonment and surrender of the rights of extending the in-

SPEECH OF MR. BERRIEN,

OF GEORGIA, ON THE PROPOSED COMPROMISE BILL.

IN SENATE, JULY 26, 1848.

In Senate, July 26, 1848.

Mr. President: It is with great reluctance that I consent to occupy the time of the Senate, even for a very brief period, at this late hour of the night, and after so long and laborious a sitting. In doing this, sir, I yield to the wishes of others, rather than consult my own inclination, and will esteem myself particularly fortunate, if, efter the very discursive debate which has taken place, I can recall the attention of the Senate to the real question which this bill presents for our consideration. This will be accomplished in the simplest manner, by recurring to the state of the debate on the Oregon bill at the moment when the select committee was raised, and the motives then openly avowed as influencing the Senate in raising it. Sir, we had before us a bill providing for the government

sir, we had before us a bill providing for the government of the Territory of Oregon, in which there was contained a provision which asserted indirectly the power of Congress to legislate on the subject of slavery, and to inhibit its existence in a Territory. I advert to this fact as well for the purpose of recalling it to the recollection of the Senate, as to repel an assertion which has been reiterated in the course of this discussion, that it has been provoked by the South; and I avail myself of the occasion to say that such an imputation is entirely inconsistent with the fact. A brief reminiscence will prove the truth of this assertion. The Territorial Committee presented to us a bill for the establishment of a government in Oregon, and Senators pressed upon us the consideration that the condition of that people imperatively demanded the protecting arm of this Government. We of the South replied to you, Give to Oregon such government as her necessities require, but do not taunt us by the useless assertion of a power which can he eno practical operation there. The provision in relation to slavery was inserted in this bill for one of two purposes: It was either a wanton exercise of power to accomplish no legit mate object, or it was introduced to acquire the authority of precedent for the exertion of the same power in relation to New Mexico and Catifornia. We said to you, omit this provision, which is admitted to be useless so far as the people of Oregon are concerned, and you may pass the bill with whatever speed you choose to give to it. Your refused in the section relating to slavery, and thus this discussion originated. It is the North then, and not the South, which must be responsible for any consequences which may result from it. The debate proceeded and various discordant propositions.

nated. It is the North then, and not the South, which must be responsible for any consequences which may result from it.

The debate proceeded, and various discordant propositions were presented to the Senate. Northern Senators asserted the uncontrolled, unlimited power of Congress to legislate for the Territory. We denied the existence of that power in the extent which was claimed for it. They maintained that, even in the absence of legislation by Congress, slavery could not exist in Oregon, because, as they contended, it is an institution contrary to Nature, existing only by statute, and therefore necessarily local. We questioned the correctness of this position; but we said to our opponents, if you have confifore necessarily local. We questioned the correctness of this position; but we said to our opponents, if you have confidence in your opinion that slavery cannot exist where it is not protected by positive statute, act upon your conviction; forbear to legislate; strike this provision from the bill, and it will pass without opposition from the South. Gentlemen were unwilling to rely upon their own repeatedly avowed convictions. They insisted upon legislating where they asserted that legislation was unnecessary, and, as a consequence, therefore admitted that it was useless.

In the midst of this protracted discussion, the Senator from Delaware (Mr. CLAYTON.) acquated by motives which found

In the midst of this protracted discussion, the Senator from Delaware, (Mr. Clarton,) actuated by motives which found a cordial response from a majority of the Senate, proposed to raise the select committee, the result of whose labors is before you. And now, sir, I inquire for what purpose was that committee raised, if it was not with the hope of avoiding this exciting discussion on the subject of slavery? If we could have anticipated the rhetorical displays, alike violative of truth and decorum, which have been exhibited in this discussion; if we could have foreseen that the occasion would have been seized upon to utter denunciations against this institution, which, if true, would put every man connected with it beyond the raise true, would put every man connected with it beyond the pale of humanity, what motive could we have had for consenting to raise this committee? Sir, I had hoped, I continue to hope, notwithstanding the opposite feeling heretofore manifested in this debate, that the attention of the Senate will be directed, this debate, that the attention of the Senate will be directed, not to extravagant, distorted, unfounded calumnies in relation to slavery, but to the questions presented by this bill—the mode of conciliation which it proposes.

Mr. President, there are some minor objections to this bill, to which I will first very briefly advert. It is said that the boundaries of New Mexico have not yet been definitively settled that used that used the second-linked it is improper, to second-linked it is im

tled, and that until this is accomplished it is improper to establish a government for that Territory. Sir, the answer is a plain one. The terms of this bill are equally applicable to that Territory, whether it be of larger or of smaller dimensions Nay, the fact of the existence of the claim of Texas to a por-tion of New Mexico, furnishes of itself a strong reason for its organization. It is fit that the interests of the United States

will see that this difficulty is altogether imaginary. In that case the Supreme Court decided that when in a petition for freedom the appeal was taken by the petitioner, the requisition it must be of the money value required by the act; but, sir, having acquiesced in this bill, I desire to see its provisions fairly carried out, and will therefore readily assent to the amend ment suggested by the Senator from Maryland, (Mr. Johnson,) or any other which may be necessary to accomplish the

But, again, it is objected that this is an evasion of our duty a transfer to the Supreme Court of a responsibility which we ought ourselves to assume. Mr. President, this is a misapprobension. Congress forbears to exercise a doubtful power by legislating on this subject. It leaves the conflicting claims which have given rise to an exciting discussion in this char ber, on the footing on which they stand under the constitution

I shall be with them in whatever course they may take. Their interests are my interests, their fortunes are my fortunes, their hopes are my hopes, and whatever destiny awaits them, awaits me also.

And now, Mr. Speaker, I think that I have conclusively shown that this miscalled compromise bill ought not to have received support from any quarter, and particularly from the South.

As I have but a few moments left, I will recapitulate my positions, that no man may mistake or misunderstand them.

The 1st is, that by the bill the whole subject of slavery in Californis and New Mexico, without any legislation on the part of Congress or the territorial governments, one way or the other, is referred to the judiciary to determine whether it can legally exist there or not.

2d. That the constitution of the United States fully recognises and amply protects the institution of slavery where it exists by the laws of the State or place, but it does not establish it any where, where by the laws of the place it is prohibited.

3d. That California and New Mexico being territories acquired by conquest, all the laws which were in force there at the time of the conquest, not not may be promptly the principles, and the sdjudications of our own courts, still in force.

4th. That as slavery did not exist there at the time of the conquest, but had been prohibited.

4th. That as slavery did not exist there at the time of the conquest, but had been prohibited by express law, the Superne Court of the United States, to whom the matter was to be referred in the last resort, could not be expected, from the principles of numerous decisions already made, to decide one of these Territories, and carrying with him in chooses. The fisc that a Southern placed on a very different footing. The fisct that a Southern placed on a very different footing. The fisct that a Southern placed on a very different footing. The fisct that a Southern placed on a very different footing. The fisct that a Southern placed on a very different footing. The fisct that a S

ground that the existing laws of Mexico, at the time of the conquest, were in force there until altered by some competent authority, then, sir, we should be bound by it forever; for we could not come and ask Congress to alter the law against the compromise, even although the Court might say that Congress had the power either directly to alter it, or to allow the territorial legislature to do it; for we sill understand that a compromise is a final settlement, and all parties are bound in honor to abide by it.

Then, sir, what are we of the South to gain by this combined to the conquest, but had been prohibited by express law, the Supreme Court of the United States, to whom the matter was to be referred in the last resort, could not be expected, from the principles of numerous decisions already made, to decide otherwise than that slavery cannot be protected there, until the existing law abolishing it be altered by competent authority.

Then, sir, what are we of the South to gain by this combined to the conquest, but had been prohibited by express law, the Supreme Court of the United States, to whom the matter was to be referred in the last resort, could not be expected, from the principles of numerous decisions already made, to decide of the Principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with him the principles of numerous decisions already made, to decide of the United States, taking with hi full proportion, but all right of participating is to be denied them. The Senator does indeed admit that what is acquire settlement of the question, amounted to nothing but a total abandonment and surrender of the rights of extending the institutions of the South to those Territories.

What is the Mode of treatment best adapted to the cure of Fever and Ague! It has usually been treated by medical men as a disease of itself. Strictly speaking, it is not a disease, but a symptom of disease. It is the result of derangement of the liver. Here lies the difficulty, and here is the disease. It is therefore the liver to which the remedy should be directed. Here the cause exists, and it is the cause which is to be removed, or a permanent cure will not be effected. By addressing remedies to the symptom we l-ave the cause untouched, ready to produce a return of the chills and fiver on the first over-exertion of the mind or body. The success of Dr. Osgood's INDIA CHOLAGOGUE in effecting permanent cures of such affections is explained by its well-known deobstruent effect upon the biliary organs.

The above excellent medicine may be found at the stores of CHAS, STOIT & CO., Washington, JOHN L. KIDWELL, Georgetown, WM. STABLER & BROTHER, Alexandris, Virgiois, july 27—optfif

Agents for the proprietor.

Mexico? that they have not been extorted by the terror of our arms? Or does he still believe, as he was wont to do, that they have been wrested by force of arms from a feeble republic—that it is an acquisition by conquest? If so, the admission of the Senator destroys the argument, and renders quite harmless the sentimental and vituperative rhetoric with which he has assailed the rights of the South.

I have been gratified by the reply which the Senator from Ohio has been enabled to give to the inquiry addressed to him by the Senator from Maryland, (Mr. Johnson,) that he is unconscious of having used the language attributed to him by that Senator, and that, if used, (as it certainly was,) he now disclaims it. Having entertained sentiments of respect and good will for the Senator from Ohio, he will add to my gratification if he is enabled also to disclaim, or willing to recall, another portion of his remarks. In speaking of slavery as it existed in the Southern States, I adverted to the affection which subsisted between the colored nurse and the child committed to her care. The Senator was pleased to speak of that portion of my remarks in terms of eulogy, and as having for a moment beguiled his judgment and led him to believe that this was indeed the patriarchal institution which it was represented to be. He proceeded to say that he was awakened from his delusion by the inquiry of the Senator from Florids, (Mr. Westcort,) in relation to the power of the territorial legislatures, under the provisions of this bill, to establish patrol laws, which, he said, were enacted in the South "to prevent these affectionate nurses from throttling their young masters."

Mr. CORWIN. I did not suppose the Senator from Georgia could have so misunderstood my meaning in the manner in which I presented the contrast referred to. All that I said to this subject was to present the necessity of watching these slaves, in the form of illustration, in a playful way.

on this subject was to present the necessity of watching these slaves, in the form of illustration, in a playful way.

Mr. BERRIEN. Mr. President, I leave this part of the subject with a single remark: that such levity was, in my judgment, unsuited to the occasion; that the wit which sparkles, is that which inflicts no wound, and that calumny is not divested of its odious character because it is uttered in the form of several manner. of sarcasm.

Let us pass to the consideration of the more important grounds of opposition to this bill. The interest which it involves are sectional, and the discussion of it has unhappily become so. Northern Senators oppose it, because it extremeders what they are pleased to denominate the rights of the non-slaveholding States, while those Southern Senators to whom it is unacceptable rest their opposition or the ground that it surrenders the rights of the South. Surity, sir, this must be a bill of very singular properties, to be pen to such directly opposite objections. The claims of the North and South are exactly opposed, and yet it is said to surrender both. Now, sir, this cannot be. One class of disputants or the other, must be in error. In my judgment they are both so.

To my Southern friends I desire to submit this simple suggestion. The bill abstains from legislating on the vexed question of slavery. It leaves that to be decided by the people of the Territories, when they are in sufficient numbers to be admitted as States, and are engaged in forming their State constitutions. In the mean time, if any question of freedom or slavery should arise, the judiciary will take cognizance of it, not by virtue of any provision in this bill, but in the exercise of their pre-existing jurisdiction. All that it does in this regard is to speed the decision of the case by the appellate tribunal. In what sense this can be said to be a surrender of Southern rights, I am totally at a loss to understand. In a Government like ours that which is reported events.

Southern rights, I am totally at a loss to understand. In a Government like ours, that which is properly called a right, is something substantial—capable of being maintained in judi-Government like ours, that which is properly called a right, is something substantial—capable of being maintained in judicature, and thereout—something which a court of justice would be bound to recognise. To say that we have no right which the highest judicial tribunal would recognise, is to admit that we have no right at all, but such as Congress may be pleased to confer upon us—is to concede in its whole extent the argument which is urged in support of the right of the North to the exclusive enjoyment of these Territories. Now, sir, I do not entertain this opinion. If I did, if I thought that in strict law our right could not be maintained, with the conviction which I have of the undoubted equity of the claim of the South to participate in all acquisitions made by the expenditure of the common blood and treasure of all the States, I would have remained silent, and would have left the argument to be sustained by those who were to profit by its allowance. I have asserted the claim of the South, and I am not willing to return to my constituents and tell them that I have willing to return to my constituents and tell them that I have asserted that claim, but had not sufficient confidence in its validity to trust it to judicial decision. If we have no right to carry our slaves into these Territories without the permission of Congress, (and that is the position in which this argument places us,) we may abandon at once the idea of having any share in them, for the Missouri compromise was rejected by the select committee, and will be by the House whenever it is offered.

whenever it is offered. It runs thus :

ated here, but it is contradicted in others, and is utterly at variance with the historic record of the original States. Whoever will consult this, will find that slavery existed in all but in the face of the remonstrances of the colonists, and of acts passed by local Legislatures, which were negatived by the royal Governors. When, in process of time, it became necessary to regulate this peculiar class of people, and to dis-tinguish between those who were free and those who were When, in process of time, it became slaves, such laws were passed, but slavery existed long ante-rior to their enactment. The case of Georgia is striking in this particular. That colony was settled in 1732 under the government of trustees, which continued for about twenty years, when they surrendered their charter, and it became a royal province. In 1735 the trustees passed an act prohibiting the use and importation of negroes into the colony, yet in despite of this, they were introduced from South Carolina; so that, when the government of the trustees ceased, it was deemed admirable to consider the colony. when the government of the trustees ceased, it was deemed advisable to repeal the prohibitory act. But the first law recognising the existence of slavery in that colony, was passed in 1770, some twenty years after. Such, on examination, will be found to have been the fact, I doubt not, in all the colonies. be found to have been the fact, I doubt not, in all the colonies. There is an express recognition of it in a case decided in Louisiana, in which the court say: It is an admitted fact that slavery has been permitted and tolerated in all the colonies established in America by the mother country. And again: Slavery existed in the colonies long before any legislative act of the mother country authorizing their introduction, except the charter of the African company, and before any colonial act had passed declaring its existence.

In a case decided in Virginia, the court say: The stavery of the African has existed from the time of bringing them into the colony—in many States by express enactments declaring

the colony-in many States by express enactments declaring

them slaves, in others by custom.

In Virginia it is certain that slavery existed long before any In Virginia it is certain that slavery existed long before any local laws were passed to authorize it—nay, notwithstanding the Provincial Legislature attempted to impose a tax which would amount to a prohibition of their importation; and so little foundation is there for the assertion that slavery exists only by force of local statutes, which has so often been made on this floor, that in the case from Louisiana, to which I have first referred, the court say: It may be laid down as a legal

first referred, the court say: It may be laid down as a legal axiom, that in all Governments, in which the municipal regulations are not absolutely opposed to slavery, persons reduced to that state may be held in it.

The foundation of the first proposition, the assumed fact on which it rests, is therefore taken from it. It is not true, as we have seen, that slavery exists only by force of local statutes. It existed in these colonies long anterior to any local statute in relation to it. Those statutes recognised and regulated, but did not establish it. The principle stated by the Court in Louisians, to which I have referred, was that on which it rested. The persons brought to the colonies by the African company, had been reduced to slavery, according to the laws and customs of their own country, either as captives the laws and customs of their own country, either as captives in war, or in whatever other mode, and there being no municipal regulation in the colonies opposed to it, they were held in that condition. The remaining branch of this proposition, that slavery cannot exist beyond the limits of the State in

that slavery cannot exist beyond the limits of the State in which it is established, I will consider presently.

The next proposition stated by Senators is this: The laws of a conquered country remain in force until they are altered by the conqueror. It is not necessary to deny this position, but it is desirable to understand it. A country subdued by force of arms is held as a conquest until the right of the conqueror is acknowledged by a treaty of peace, or until so long a time has elapsed as to destroy the right of post limine of the nation from whom it has been wrested by force of arms. If it has been yielded in the treaty of peace, the terms of that treaty settle the condition of the inhabitants. Now, that New Mexico and California are the fruits of conquest—that Mexico has been compelled to yield them by the terror of our arms, and for the preservation of her nationality—is a proposition and for the preservation of her nationality—is a proposition which I do not doubt. But she has yielded them, and a defini fire treaty of peace has settled the condition of their inhabitants. They no longer stand upon the looting of a conquered people. They were left by the terms of that trenty free to choose between Mexico and the United States. If they had addred to the former, they would have continued to enjoy the benefit of Mexican laws by a removal to some other part of Mexico. If they chose the latter, they became at once entitled to the privileges of citizens of the United States, and in due time to be admitted as members of the United States, and in due time to be admitted as members of the United States, and in due time to be admitted as members of the United States, and in due time to be admitted as members of the United States, and in due time to be admitted as members of the United States, and in due time to be admitted as members of the United States has the privilege of worshipping God according to the dictates of his own conscience. The laws of Mexico prescribe the only form in which that worship is allowed. A citizen of the United States is entitled to his personal liberty; his lands and tenements, goods and chattels tive treaty of peace has settled the condition of their inhabi-

Mexico? that they have not been extorted by the terror of our arms? Or does he still believe, as he was wont to do, that they have been wrested by force of arms from a feeble republic—that it is an acquisition by conquest? If so, the admission of the Senator destroys the argument, and renders quite harmless the sentimental and vituperative rhetoric with which he has assailed the rights of the South.

I have been gratified by the reply which the Senator from Ohio has been enabled to give to the inquiry addressed to him by the Senator from Maryland, (Mr. Johnson,) that he is

printories to be subjected to them? Who will affirm this to it be remembered that, in no one of the cases which have sen referred to by Senators, was the question we are considering distinctly in issue.

The opinions on which they rely are the obitar dicta of the larned judges who uttered them. In the case decided by Lord Insfield, the question was, whether the King, by virtue of is royal prerogative—that is, independent of Parlament—ould impose the duty or tax which was the subject of conversy. It was a question of British constitutional law and tas the only one decided in the case. In the case of Canter, he inquiry related to the validity of a decree in a court of all airalty in Florida, established by the Territorial Legislature, inder the authority of Congress; and the questions which it was necessary to decide were the right of this Government to equire territory, and the consequent power to govern it. In he case of Strother and Lucas, the point decided was the inhabitants of Louisiana were entitled to the pt. The heir property, as well under the treaty as by the law in the consequent of those laws under which it accrued. The distinct question whether the laws of a country which is acquired by treaty, incorporated into the United States as an integral portion of it, whose inhabitants are declared to be entitled to the privileges of citizens of the United States, and for which a Territorial Government has been established by Congress—the question whether those laws continue to exist and to operate prospectively, has not, I think, been decided. In relation to the past, they are certainly effective to protect rights acquired under them; but, in relation to the future, the laws of the United States and those made by the Territorial Legislature, under the authority delegated to them, are the only recognised laws of the Territory, unless Congress shall otherwise provide. Accordingly, in the act establishi Territorial Government. under the authority delegated to them, are the only recognised laws of the Termory, unless Congress shall otherwise provide. Accordingly, in the act establishing Territorial Governments in Louisiana and Florida, there in each case an express provision continuing the pre-existing laws, under certain restrictions. If without this provision they would have been in force, why was it made?

But, Mr. President, is it quite certain that slavery is abolished in Mexico? I do not speak now of peopage, or white slavery, but of that of the African race? The Senator from Rhode Island (Mr. Clarke) has exhibited the decrees of the Mexican President and Congress of the 15th Sentember, 1829.

Rhode Island (Mr. CLARKE) has exhibited the decrees of the Mexican President and Congress of the 15th September, 1829, and of 1837. Now, it is very clear that slavery had not been abolished by the first act, or there would have remained no states to be manumitted by the second. And yet it provides that "the owners of slaves manumitted by this (the second) act shall be indemnified for the interest they hold in them," &c. It is certain, then, that there were slaves in Mexico in 1837, notwithstanding the decree abolishing slavery in 1829. 1837, notwithstanding the decree abolishing slavery in 1829. The truth I suppose to be, that these decrees were acts declaratory of the will of the Government, to be carried into effect when its financial condition permitted. They did not mean to deprive the owner of his property without indemnifying him. Accordingly, in the second decree, they provide for an appraisement and the issue of scrip to the owner, payable at the Treasury. This appraisement was to be made by "duly considering the personal qualities of the slaves." How were the appraisers to do this unless the slaves were produced to them, and how could they be produced if they became free co instantion the publication of the decree, and before the appraisements were made, and of course at liberty to go wherever they might think proper. I suppose, therefore, looking merely to these decrees, that the abolition of slavery in Mexico enacted by them remains to be completed by the appraisement of the slaves, and the indemnification of their owners, and that until this is done they are inoperative, or rather their operation is his is done they are inoperative, or rather their operation incomplete.

And now, sir, having offered to the Senate such suggestions

And now, sir, having offered to the Senale such suggestions as occur to me on the questions we have been examining. I turn to the consideration of that which is in my judgment most important—the right of every citizen of the United States to remove with his property, of whatsoever kind, to any Territory of the United States. He who denies this, is prepared to deny the right of all, to participate equally in that which has been acquired by the united efforts of all; to assert, as a legislator, what as an individual he would blesh to affirm, that the majority of a joint association have a right to appropriate exclusion. what as an individual he would blesh to affirm, that the majority of a joint association have a right to appropriate exclusively to themselves the whole gains of the copartnership. The farmer of the North may emigrate to these Territories with his family and household goods, with his apprentices and hired laborers, his herds and his flocks, his property of every description. Why is not a like privilege accorded to the Southern planter? I am told that negroes are not property beyond the limits of the States in which the owner resides; that beyond those limits they are considered as persons, over whom Slavery exists only by force of local statutes, and is not protected beyond the limits within which they operate. The laws of a conquered country continue in force until they are considered as persons, over whom the owner can exercise no dominion. Mr. President, I have before pointed out the fallacy of this position, but I desire again to expose it to the view of the Sunate. Sir, no case has been, Slavery exists only by force of local statutes, and is not protected beyond the limits within which they operate. The laws of a conquered country continue in force until they are repealed by the conqueror. Slavery has been abolished in New Mexico and California, and cannot be re-established there without the sanction of Congress—by the repeal of the existing law, and the enactment of a law of slavery.

Now, sir, it is not true in point of fact that slavery exists or has existed only by force of local statutes. The fact has been assumed in certain judicial decisions, and has been reiterated here, but it is contradicted in others, and is ufferly at the conqueror. Slavery has been abolished in the owner can exercise no dominion. Mr. President, I have before pointed out the fallacy of this position, but I desire again to expose it to the view of the Sanate. Sir, no case has been, no case can be produced to sustain it. Certain State courts have affirmed that a slave brought with the consent of this owners are the abolished in the owner can exercise no dominion. Mr. President, I have before pointed out the fallacy of this position, but I desire again to expose it to the view of the Sanate. Sir, no case has been, no case can be produced to sustain it. Certain State courts have affirmed that a slave brought with the consent of this owners are a sum of the owner can exercise no dominion. Mr. President, I have before pointed out the fallacy of this position, but I desire again to tor that they fall very short of the position which they are adduced to maintain. They do not decide that the slave become the colonies before any law was passed to authorize it. It was introduced into them by the cupidity of the mother country, (seeking to avail herself of the profits of the African slave trade and of the market which the colonies afforded for the that a slave becomes free by passing into a Territory where there is no law prohibiting slavery—into a territory which is the common property of all the people of the United States, whose inhabitants owe a common allegiance to a Government whose constitution and faws do not prohibit, but expressly recognise the proprietary interest of the master in his slave. Such a case has not been and cannot be produced. The precise converse was decided in the Supreme Court of Louisiana, in the case to which I have before referred. The learned judge who pronounced that decision stated it as a legal axiom, that in all Governments in which the municipal regulations are not absolutely opposed to slavery, persons reduced to that State may be held in it. If, then, the abolition of slavery has not been completed in Mexico, or if, as I suppose, Mexican laws may be held in it. If, then, the abolition of slavery has not been completed in Mexico, or if, as I suppose, Mexican laws will have ceased to exist, under the provisions of the treaty, from the establishment of territorial governments in New Mexico and California, and the extension of the laws of the United States over them, this is, then, the precise case suggested by the Supreme Court of Louisiana, in which persons previously reduced to slavery, may be held in it.

I have said that slaves are recognised as such in the consti-tution and laws of the United States. They are recognised both as persons and as property. As persons they constitute an element of representation, giving political rights to their owners which they would not otherwise possess. As property they are liable to taxation, and have been subjected to it whenever you have resorted to direct taxes. Your laws provide for the taxation of slaves, and the collection of the tax by distress and sale, by your officer, of the slave so taxed. Under the operation of these laws, slaves are now held who have been distress and sale, by your officer, of the stave so taxed. Under the operation of these laws, slaves are now held who have been purchased from your officer, under warrants issued by your command. They have been sold at your instance, and the proceeds of the sales have been paid into the National Treasury. You are daily repeating this operation by the sale o slaves under executions founded on judgments recovered against defaulting officers. Do you mean to deny the title which has been given by your command, under the authority of your laws, while you retain in your Treasury the price of

Again : slaves are recognised as property by your naviga Again: slaves are recognised as property by your nanga-tion laws. You provide for their transportation coastwise, from the port of any State to "any port or place within the limits of the United States." You require certain things to be done by the owner, and thereupon your officer, under the authority of law, grants him a permit to transport his slave expressly to any port or place within the limits of the United States, to be sold as a slave, or to be held to service or labor. States, to be sold as a slave, or to be held to service or labor. Now, consider the operation of these laws on the question before us. A citizen of Savannah helding a slave, the issue of one purchased by him from your officer, under a sale for direct taxes, for which he has paid the price which you hold, goes before the collector of that port, and, having complied with the requisitions of that law, obtains from him a permit to transport that slave to Monterey, a port of place within the limits of the United States, there to be sold as a slave, or to be held to service or labor; and having your pitle to this slave, and you having his money, he has also your permit to carry him there as a slave, tell me what authority is there in any Territory of this Union which can override and nullify that of the Supreme Government on which it depends, and from which it derives whatever power it possesses. Holding a title to this slave, given by your officer under the authority of your laws, while the price which he has paid yet remains in the National Treasury—having your permit to carry him there to be sold as a slave, or to be held to service or labor, what authority in that territory, over which you have excluwhat authority in that territory, over which you have exclusive dominion, can wrest from the owner the right which has thus acquired to the labor and service of this slave?

TO CONTRACTORS.

Engineer's Office, Southwestern Turnpike, Wytheville, (Va.) July 25, 1848.

Roposals will be received at the office in Salem,
Rosnoke county, until the 26th day of August, for grading and macadamizing seven miles of the road between Salem and Cloverdale, and at the office in Wytheville, until the 2d day of September, for grading and macadamizing thirty-five miles of the road extending from New River to Wytheville. Each section will be 5,300 feet long, and bids will state the price proposed for the entire completion of each section.

Plans, profiles, and specifications may be seen upon application to the undersigned at his office in Wytheville.

The work to be completed by the 1st of January, 1850.

LEWIS M. PREVOST, Jr.

Forincer and Superintendent Southwestern Turnpike.

Engineer and Superinten